

REMARKS

The present Amendment and Response is believed to be fully responsive to the Non-final Office Action dated July 18, 2008. After entry of this Amendment, Claims 1-12 remain pending. By this Amendment, independent Claims 1 and 7 have been amended. Claims 13-40 were previously withdrawn without prejudice. It is respectfully submitted that no new matter has been added by the foregoing amendments. Reconsideration of the application is requested in view of the following remarks.

Claim Rejections under 35 U.S.C. § 103

In the Non-final Office Action mailed July 18, 2008, Claims 1-3 and 7-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0023557 to Moore (hereinafter “*Moore*”) in view of U.S. Patent No. RE39,736 to Morrill, Jr. (hereinafter “*Morrill*”), and further in view of U.S. Patent Publication No. 2004/0019553 to Setz, et al. (hereinafter “*Setz*”). Additionally, Claims 4 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Moore* in view of *Morrill* and *Setz*, and further in view of U.S. Patent No. 5,757,571 to Basham, et al. (hereinafter “*Basham*”). Finally, Claims 5-6 and 11-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Moore* in view of *Morrill* and *Setz*, and further in view of U.S. Patent Publication No. 2005/0080717 to Belyi, et al. (hereinafter “*Belyi*”). More specifically, the Office Action contends that *Moore* discloses a system and method for processing checks and that *Morrill* and *Setz* teach the setting of a default amount for a transaction. The Office Action contends that it would have been obvious to modify *Moore* to include the default amount functionality of *Morrill* and *Setz*.

By the present Amendment, independent Claims 1 and 7 have been amended in order to clarify the scope of the claimed invention of independent Claims 1 and 7. Specifically, independent Claim 1 has been amended to recite an apparatus that processes “in a default check amount mode a plurality of accounts receivable checks received by the merchant in a non-face-to-face manner and having the same check amount without having to enter the check amount for each of the plurality of accounts receivable checks” (Underlining supplied). Independent

Claim 7 has been amended in a similar manner. Support for these amendments can be found at least in paragraphs [0072] – [0074] of the Specification, which state:

[0072] Typically, the customer can pay the merchant on a face-to-face or a non-face-to-face transaction. One example of a face-to-face transaction occurs when a shopper pays for goods at a store by writing a check at a retail store. The shopper hands over the check to a store clerk. One example of a non-face-to-face transaction occurs when a landlord of an apartment complex receives a plurality of rent checks via some form of a “drop-off” box. The landlord may not actually see the renters depositing the check in the box.

[0073] The “box” in the example above may comprise different embodiments that are adapted to allow a payment from the customer to be deposited. The payment can then be retrieved by the merchant for processing. Payments received in the foregoing manner are generally referred to as accounts receivable (AR). One way to process an AR payment is via electronic means in a manner similar to, for example, electronic processing of checks via a point-of-sale (POS) device. The electronic processing of the AR payments is often referred to as accounts receivable conversion (ARC).

[0074] Because the payment in the foregoing manner is received where the payer may not be present in a face-to-face transaction, the electronic processing of such payments may be subject to processing rules that may be different than those of the exemplary POS transaction. Various aspects of the present teachings described herein address various features in

systems and methods that advantageously improve a manner in which the ARC process is performed.

Certain embodiments of the claimed invention may relate to apparatuses, systems, and methods for processing check transactions that are received in a non-face-to-face manner, also referred to as accounts receivable (AR) checks. These AR checks may be processed by a merchant with a location-base device, such as a point-of-sale (POS) device, that is configured to process both AR checks and face-to-face check transactions. Typically, if AR checks are processed via conventional POS devices, a merchant needs to perform additional tasks to facilitate processing of the AR checks (See Specification at paragraph [0005]). Certain Embodiments of the claimed invention relate to apparatuses, systems, and methods that simplify the processing of AR checks with a location-base device that is also utilized to process face-to-face check transactions. For example, the ability to handle repetitive inputs, such as a repetitive check amount, may be supported in order to expedite the processing of AR checks.

In marked contrast to amended independent Claim 1, neither *Moore*, *Morrill*, nor *Setz*, either taken alone or in any combination thereof, teaches or suggests an apparatus or method that processes “in a default check amount mode a plurality of accounts receivable checks received by the merchant in a non-face-to-face manner and having the same check amount without having to enter the check amount for each of the plurality of accounts receivable checks” (Underlining supplied). Similarly, in marked contrast to amended independent Claim 7, neither *Moore*, *Morrill*, nor *Setz*, either taken alone or in any combination thereof, teaches or suggests “obtaining … an input value from the merchant if the merchant chooses the option for setting the default check amount” and “setting the input value as the default check amount such that a subsequent accounts receivable check received by the merchant in a non-face-to-face manner will be processed with the default check amount in a default check amount mode” (Underlining supplied).

Although *Moore* relates to a system that processes bank checks (See *Moore* at Abstract), *Moore* does not teach or suggest a system that processes accounts receivable checks received in a

non-face-to-face manner. *Moore* fails to mention any accounts receivable checks that are received by a merchant in a non-face-to-face manner. In fact, *Moore* seems to teach away from the processing of these accounts receivable transactions. *Moore* relates to a system in which a digital picture of an authorized bearer of a check can be activated by the light of a reader and displayed on screen at a transaction station (See *Moore* at paragraph [0028]). The vendor can then compare the displayed picture with the face of the customer (See *Moore* at paragraph [0028]). In order to compare the imprinted digital picture to the face of the customer, a face-to-face transaction must likely be conducted. Therefore, *Moore* teaches away from processing non-face-to-face accounts receivable checks, as recited by amended independent Claims 1 and 7.

Additionally, as recognized by the Office Action, *Moore* does not teach or suggest a system that operates in a default check amount mode to process a plurality of checks. *Moore* does not teach or suggest the inputting of a default check amount that is utilized to process a plurality of accounts receivable checks.

Morrill also fails to teach or suggest an apparatus or method that processes “in a default check amount mode a plurality of accounts receivable checks received by the merchant in a non-face-to-face manner and having the same check amount without having to enter the check amount for each of the plurality of accounts receivable checks”, as recited by amended independent Claim 1 (Underlining supplied). Similarly, *Morrill* fails to teach or suggest receiving a merchant input and “setting the input value as the default check amount such that a subsequent accounts receivable check received by the merchant in a non-face-to-face manner will be processed with the default check amount in a default check amount mode,” as recited by amended independent Claim 7 (Underlining supplied). In marked contrast, *Morrill* relates to cellular telephone based transactions rather than to check transactions (See, for example, *Morrill* at Abstract). Therefore, it is respectfully submitted that *Morrill* is non-analogous art and not properly combinable with *Moore*. Assuming, arguendo, that *Morrill* may be combined with *Moore*, *Morrill* fails to teach or suggest the processing of a plurality of accounts receivable checks that are received by a merchant in a non-face-to-face manner.

Additionally, *Morrill* fails to teach or suggest allowing a merchant to set a default check amount for processing a plurality of checks in a default check amount mode without having to enter the check amount for each of the plurality of checks. Although *Morrill* relates to cellular phone transactions that can be processed utilizing a default amount (e.g., a vending machine transaction or a toll transaction), the default amount is utilized only for a single transaction and not for a plurality of check transactions (See *Morrill* at Col. 2, lines 36-47). In *Morrill*, a cellular phone user enters a unique function code to initiate a transaction (See *Morrill* at Col. 2, lines 38-40), and the mobile phone service provider identifies the transaction and determines if the transaction involves a default amount (See *Morrill* at Col. 2, lines 41-45). The default amount is only utilized to complete the single transaction initiated by the user. There is no teaching or suggestion in *Morrill* of utilizing the default amount to process a plurality of check transactions, as recited by the amended independent claims.

Similarly, *Setz* fails to teach or suggest an apparatus or method that processes “in a default check amount mode a plurality of accounts receivable checks received by the merchant in a non-face-to-face manner and having the same check amount without having to enter the check amount for each of the plurality of accounts receivable checks,” as recited by amended independent Claim 1 (Underlining supplied). Similarly, *Setz* fails to teach or suggest receiving a merchant input and “setting the input value as the default check amount such that a subsequent accounts receivable check received by the merchant in a non-face-to-face manner will be processed with the default check amount in a default check amount mode,” as recited by amended independent Claim 7 (Underlining supplied).. In marked contrast, *Setz* relates to foreign currency exchange transactions rather than to check transactions (See, for example, *Setz* at Abstract and paragraph [0035]). Therefore, it is respectfully submitted that *Setz* is non-analogous art and not properly combinable with *Moore*. Assuming, arguendo, that *Setz* may be combined with *Moore*, *Setz* fails to teach or suggest the processing of a plurality of accounts receivable checks that are received by a merchant in a non-face-to-face manner.

Moreover, *Setz* fails to teach or suggest allowing a merchant to set a default check amount for processing a plurality of checks in a default check amount mode without having to

enter the check amount for each of the plurality of checks. Although *Setz* relates to a system that may create a default amount for a currency exchange transaction based on the value of the previous transaction (See *Setz* at paragraph [0109]), there is no teaching or suggestion in *Setz* of the merchant setting a default check amount in order to process a plurality of checks in a default check amount mode or of a merchant inputting a default check amount for processing subsequent checks. In marked contrast, *Setz* relates to a system in which a dealer or user must override a default amount that is automatically entered by an automated trading system (See *Setz* at paragraph [0109]). This type of functionality would likely be more time-consuming and cumbersome if implemented by a location-base check processing device, as any benefit provided for the processing of non-face-to-face-transactions would be outweighed by the requirement of receiving additional override input from a merchant when processing other types of check transactions, such as, face-to-face check transactions during the normal course of business.

Finally, neither *Basham* nor *Belyi* teach or suggests an apparatus or method that processes “in a default check amount mode a plurality of accounts receivable checks received by the merchant in a non-face-to-face manner and having the same check amount without having to enter the check amount for each of the plurality of accounts receivable checks” or the features of receiving a merchant input and “setting the input value as the default check amount such that a subsequent accounts receivable check received by the merchant in a non-face-to-face manner will be processed with the default check amount in a default check amount mode,” (Underlining supplied). *Basham* relates to partitioning data storage devices (See, generally, *Basham* at Abstract) and not to processing check transactions. Although *Belyi* relates to processing check transactions, *Belyi* does not teach or suggest processing, in a default check amount mode, a plurality of accounts receivable checks received in a non-face-to-face manner.

As a result of providing a default check amount mode, certain embodiments of the claimed invention may facilitate the efficient processing of accounts receivable checks with a device that may also be utilized to process face-to-face check transactions. By entering a default check amount mode, the processing of accounts receivable checks that have the same transaction

amount (e.g., apartment rent checks) may be expedited by eliminating the need to enter repetitive input for each check transaction.

For at least the above stated reasons, it is respectfully submitted that neither *Moore*, *Morrill*, *Setz*, *Basham*, nor *Belyi*, either taken alone or in any combination thereof, teach or suggest each an every feature of amended independent Claims 1 and 7. Therefore, it is respectfully asserted that amended independent Claims 1 and 7 are allowable over the cited art references and in condition for allowance.

Additionally, it is respectfully submitted that dependent Claims 2-6 and 8-12 are allowable as a matter of law as depending from an allowable base claim, notwithstanding their independent recitation of patentable features. Therefore, it is respectfully contended that all of the claims of the present application are in condition for allowance and prompt allowance of the same is respectfully solicited.

CONCLUSION

It is believed that each matter raised by the Office Action has been responded to. Allowance of the claims is respectfully solicited. It is not believed that extensions of time or fees for addition of claims are required in this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

If there are any issues which can be resolved by teleconference or an Examiner's Amendment, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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